



Entered on Docket
March 31, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

| | | |
|-----------------|---|---------------------------------------|
| In re: |) | BK-S 10-32289 LBR |
| |) | Chapter 13 |
| MARIANO GARCIA, |) | |
| |) | ORDER DENYING CONFIRMATION AND |
| |) | DISMISSING CASE |
| |) | |
| Debtor. |) | Hearing Date: March 24, 2011 |
| |) | Hearing Time: 1:30 p.m. |

The "Trustee's Opposition to Confirmation of Plan Combined with Trustee's Recommendation of Dismissal" filed in the above-captioned matter having been on for hearing; the following parties have appeared: [X] Trustee [] Debtor [] Attorney for the Debtor [] Other, and said Opposition having been considered by this Court and good cause appearing therefore;

IT IS HEREBY ORDERED that confirmation of the Plan is **DENIED** and that the above-captioned proceedings under Chapter 13 is **DISMISSED** for the following reason(s):

- Debtor(s) failed to appear [11 USC § 341(a)]
- Debtor(s) failed to commence Plan payments [11 USC § 1326(a)(1)]
- Delinquent Plan payments

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to hear any motion brought by the Trustee for disgorgement of attorney fees in this case.

IT IS FURTHER ORDERED that the Trustee is allowed \$150.00 as and for expenses in the administration of this case.

DATED: 7/01/2010

Submitted by:

/s/ KATHLEEN A. LEAVITT
Kathleen A. Leavitt
Chapter 13 Trustee
(MJB)

LR 9021 CERTIFICATION:

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

- ____ The court has waived the requirement set forth in LR 9021(b)(1).
X No party appeared at the hearing or filed an objection to the motion.
____ I have delivered a copy of this proposed Order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Approved: _____
Disapproved: _____
Failed to Respond: _____

____ I certify that this is a case under Chapter 7 or Chapter 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.